

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



December 28, 1995

ALL-COUNTY LETTER NO. 95-83

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY CHIEF PROBATION OFFICERS  
ALL COUNTY FISCAL OFFICERS  
ALL COUNTY AUDITOR CONTROLLERS

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☒ Federal Law or Regulation Change
- ☐ Court Order or Settlement Agreement
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

SUBJECT: TERMINATION OF FEDERAL FUNDING FOR THE PROBATION COMPONENT OF THE EMERGENCY ASSISTANCE PROGRAM, EFFECTIVE JANUARY 1, 1996.

The purpose of this letter is to provide you with information about the elimination of federal funding for the Probation component of the Emergency Assistance (EA) Program.

On September 12, 1995, the federal Department of Health and Human Services (DHHS) issued Action Transmittal ACF-AT-95-9, which established a new policy that Federal Financial Participation (FFP) will no longer be available under the EA Program for the costs of benefits or services provided to children in the juvenile justice system. For states like California, whose current EA Program covers such children, the termination of federal EA funding becomes effective January 1, 1996.

This new policy terminates federal EA funding for the entire Probation component of California's EA Program, which covers delinquent children and includes juvenile assessment centers (i.e. juvenile halls), residential group care in camps and ranches, foster care, and after care. It does not apply to the Child Welfare Services (CWS) component of California's EA Program. Therefore, federal EA funding will remain available for shelter care, foster care, and crisis resolution services provided to abused/neglected children.

In practical terms, the implementation of ACF-AT-95-9 means that federal funding will be available for EA-Probation services only when both of the following conditions are met:

the application was taken and authorized on or prior to December 31, 1995,

and

the services were provided on or prior to December 31, 1995.

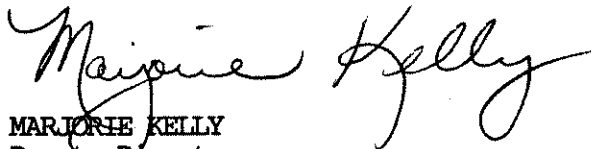
Questions have arisen about how proposals for federal welfare reform would affect the EA Program. We will not be able to answer such questions until legislation is actually enacted. At this time, it is unclear what the final version of federal welfare reform legislation will contain or when it will be enacted.

The Chief Probation Officers of California (CPOC) have informed us that they intend to go to court in an attempt to stop or delay DHHS from terminating federal EA funding for children in the juvenile justice system. The CPOC have also informed us that they are requesting counties to continue to take and process EA-Probation applications after December 31. In the event that the DHHS Action Transmittal is rescinded as the result of court action, federal welfare reform, or other reasons, CPOC anticipates that this would provide a basis for claiming federal EA funds for Probation services provided on and after January 1, 1996.

If counties decide to continue to take and process EA-Probation applications after December 31, as requested by CPOC, they may do so at their own discretion. However, we want to emphasize that counties must accept full financial liability for the costs they incur. These include administrative costs incurred by both county probation and welfare departments, as well as the costs of the assistance and services provided to the children. No State funds have been identified to offset the loss of federal funds for EA-Probation after December 31, 1995.

The Department will issue more detailed technical instructions regarding the Probation component of the EA Program in the immediate future. If you have any questions about this matter, please contact Douglas K. Johnson, Chief, Emergency Assistance Program Bureau, at (916) 322-5946.

Sincerely,

A handwritten signature in cursive script, reading "Marjorie Kelly".

MARJORIE KELLY  
Deputy Director  
Children and Family Services Division